

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

JUSTIN GARDNER,

Petitioner,

vs.

STATE OF NEBRASKA,

Respondent.

**8:17CV390**

**MEMORANDUM  
AND ORDER**

The petitioner has not paid the filing fee or submitted a motion to proceed in forma pauperis by the due date, November 17, 2017. Accordingly,

IT IS ORDERED that the Petition for Writ of Habeas Corpus ([Filing No. 1](#)) is denied without prejudice.

Dated this 5th day of December, 2017.

BY THE COURT:

*s/ Richard G. Kopf*  
Senior United States District Judge